

AO 91 (Rev. 08/09) Criminal Complaint

~~United States District Court  
Southern District of Texas~~

# UNITED STATES DISTRICT COURT

for the

OCT - 7 2015

Southern District of Texas

**David J. Bradley, Clerk**

United States of America )  
v. )  
Case No. M-15-1741-M  
Carlos Alberto ZAMUDIO YOB: 1984 USA, )  
 )  
 )  
 )  
 )

*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 8, 2015 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC 924(a)(1)(A)	Title 18, U.S.C., Section 924 (a)(1)(A) - unlawful for any person to knowingly make any false statement or representation with respect to the information required to be kept in the records of a licensed Federal Firearms Dealer.

This criminal complaint is based on these facts:

See Attachment A

Continued on the attached sheet.

Approved by  
John K. Taylor

Sworn to before me and signed in my presence.

Date: 10/07/2015 10:22 am

  
Complainant's signature

ATF Special Agent Cesar Zambrano  
*Printed name and title*

Pet S. Derry  
*Judge's signature*

City and state: McAllen, Texas

**Honorable Peter E. Ormsby**  
*Printed name and title*

**ATTACHMENT A**

I, Special Agent Cesar Zambrano, affiant, do hereby depose and state the following:

I am a Special Agent of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives. I have been a law enforcement officer for 17 years. My duties include the investigation of violations of the Federal firearms laws. I know it to be unlawful for a person to knowingly make any false statements or representation with respect to the information required to be kept in the records of a licensed Federal Firearms Licensee (FFL).

The facts establishing the foregoing issuance of an arrest warrant are based on the following:

On or about September 11, 2015, your affiant learned Carlos Alberto ZAMUDIO had purchased approximately 38 highly trafficked firearms between November 2014 and September 2015 from federally licensed firearms dealers (FFL) in the McAllen, Texas area.

Trace reports also revealed an AK-47 type rifle purchased by ZAMUDIO on 07/31/2015 from an FFL in Pharr, Texas was recovered 16 days later in Reynosa, Mexico. A review of the ATF Forms 4473 (Firearms Transaction Record) filled out by ZAMUDIO also disclosed ZAMUDIO's cell phone number.

On or about September 15, 2015, your affiant met with ZAMUDIO and requested to speak to him regarding his recent purchase of several highly-trafficked firearms. ZAMUDIO voluntarily agreed to speak to your affiant and stated he began purchasing AK-47 type rifles from local FFL's on January of this year to resell them for profit. ZAMUDIO also told the agents he had been unemployed since January of this year and had no other source of income. At the conclusion of the interview, ZAMUDIO provided your affiant with his cell phone number which matched the cell phone number on the ATF Form 4473.

Later deconfliction of ZAMUDIO's cell number revealed that ZAMUDIO's cell number was listed as a contact in a cell phone possessed by an ATF defendant who was arrested on May 15, 2015 for conspiring to falsify the records required to be kept by FFLs (straw-purchasing).

The records obtained from the defendant's cell phone showed a total of 217 calls between ZAMUDIO and the defendant from 01/31/2015 thru 05/14/2015. In addition, ZAMUDIO's cell number was the second most frequently called number by the ATF defendant.

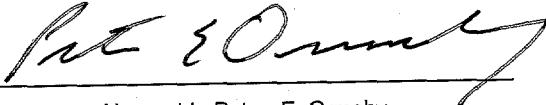
**ATTACHMENT A**

Your affiant also discovered several text message exchanges between ZAMUDIO and the defendant which show that ZAMUDIO was purchasing AK-47 rifles on behalf of the defendant as well as recruiting others to purchase firearms on behalf of the defendant.

During one text message exchange dated May 8, 2015, the defendant asked ZAMUDIO to purchase multiple AK-47 rifles for him and ZAMUDIO replied agreeing to purchase them. Further investigation by your affiant resulted in locating multiple ATF Form 4473 dated May 8, 2015 documenting the purchase of three AK-47 rifles by ZAMUDIO from three different FFLs in the McAllen, Texas area.

  
ATF Special Agent Cesar Zambrano

Sworn to before me and subscribed in my presence,



Honorable Peter E. Ormsby

10/07/2015